



BOARD OF ADJUSTMENT

MINUTES

February 25, 2021

The Board of Adjustment of New Castle County held a public hearing on February 25, 2021 utilizing ZOOM Webinar, beginning at 6:00 p.m.
Vice Chairman Terry Parker,
presiding:

CALL TO ORDER – 6:00 p.m.

Terry Parker
William Brooks
Edward Thomas
Izuru Osegbu-Rivers
Richard Farmer

Comprising a quorum of the Board; also:
Mengting Chen, Esq., Office of Law
Melissa Hughes, Department of Land Use
Klesa Achaibar, Department of Land Use
Janet Vinc, Department of Land Use

MINUTES

PUBLIC HEARING

NEW BUSINESS

The Board heard and received testimony on the following application(s) and took action on the applications as follows:

1. App. #2021-0039-A –Rosa Oyola Ortiz..

Mr. Parker Grant moved to **Grant** the application; Mr. Thomas seconded the motion.

VOTE: 5-0

ACTION: Grant– Area variance: To maintain an addition 17 feet from the Hillview Avenue right-of-way (25-foot street yard setback) see UDC Table 40.04.110.B. NC5 Zoning. CD 10. (App 2021-0039-A) TP 10-010.40-128.

2. App. #2021-0021-A – Jonathan Turner.

Mr. Brooks moved to **Grant** the application; Mr. Parker seconded the motion.

VOTE: 5-0

ACTION: Grant– Area variance: To construct an addition 21 feet from the rear property line (25-foot rear yard setback) see UDC Table 40.04.110.B. NC10 Zoning. CD 8. (App 2021-0021-A) TP 29-001.00-

560.

3. App. #2020-0760-A – 15 Center Meeting Road LLC

Mr. Parker moved to Grant; Mr. Farmer seconded the motion.

VOTE: 5-0

ACTION: Grant- Area variances to facilitate the recordation of a Land Development Plan: **1.** To permit a 2,785 square foot footprint from the 2,000 square foot footprint maximum permitted in the Design Review Advisory Committee (DRAC) of Centerville Village Design Manual, Chapter 6: Building Design Envelope: Massing, Scale and Building Footprint requirements per UDC Section 40.26.430.D. **2.** To permit an addition 8 feet from the easterly side lot line from the 30-foot minimum setback (10 percent average spacing of historic structures along the block hosting the new construction) in the Design Review Advisory Committee (DRAC) of Centerville Village Design Manual, Chapter 6: Site Design Considerations: Spacing requirements per UDC Section 40.26.430.D. NC15, HT & H Zoning. CD 2. (App 2020-0760-A) TP 07-007.00-110.

4. App. #2021-006-5A – Buccini Pollin Group.

Mr. Brooks moved to Grant with Conditions the application; Mr. Thomas seconded the motion.

VOTE: 5-0

ACTION: Grant with Condition– Area variances to facilitate the recordation of a Land Development Plan: **1.** To maintain paving 0 feet from the northerly side lot line for Lot 1 (5-foot other yard paving setback) see UDC Table 40.04.110.B. **2.** To permit paving 0 feet from the southerly side lot line for Lot 1 (5-foot other yard paving setback) see UDC Table 40.04.110.B. **3.** To permit paving 0 feet from the northerly side lot line for Lot 2 (5-foot other yard paving setback) see UDC Table 40.04.110.B. **4.** To permit paving 0 feet from the S. Market Street right-of-way for Lot 1 (25-foot street yard paving setback) see UDC Table 40.04.110.B. **5.** To permit paving 0 feet from the S. Market Street right-of-way for Lot 2 (25-foot street yard paving setback) see UDC Table 40.04.110.B. **6.** To permit paving 3 feet from the southerly side lot line for Lot 2 (5-foot other yard paving setback) see UDC Table 40.04.110.B. **7.** To permit a trash enclosure 5 feet from northerly side lot line for Lot 1 (20-foot side yard setback) see UDC Table 40.04.110.B. **8.** To permit 0 loading bays on Lot 1 (1 loading bay required) UDC Section 40.03.510. **9.** To disturb 55% (0.32 acres) of the riparian buffer area (100% protection level required) see UDC Table 40.10.010. **10.** To provide 0 parking lot plant units (1 plant unit per 12 parking spaces, total 4.2 plant units required) see UDC Table 40.04.111.A. **11.** To provide a 0.0 bufferyard opacity along S. Market Street right-of-way for Lot 1 (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. **12.** To provide a 0.0 bufferyard opacity along S. Market Street right-of-way for Lot 2 (0.4 bufferyard opacity required) see UDC Table 40.04.111.A. CR Zoning. CD 10. (App 2021-0065-A) TP 10-001.00-012.

CONDITIONS: 1. The landscaping shall be consistent with the renderings submitted into evidence.

2. The building elevations shall be consistent with the renderings submitted into evidence.”

Melissa A. Hughes

Melissa Hughes
Department of Land Use
4/20/2021